

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8444 of 2022

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1. Indradeo Prasad @ Indradeo Prasad Singh Son of Late Ganga Sharan Singh @ Late Ganga Ram Mahto @ Late Ganga Prasad Singh Resident of Village- Kangali Chouki, P.S.- Pirpainti, District- Bhagalpur.
 2. Kamleshwari Devi Wife of Indradeo Prasad Resident of Village- Kangali Chouki, P.S.- Pirpainti, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The Union of India through Director National High Way, New Delhi.
2. The Competent Authority National High Way, Munger, Mirza Chowki Section Project.
3. The State of Bihar through the Commissioner-cum-Secretary Department of Revenue, Bihar, Patna.
4. The District Magistrate-cum-Collector Bhagalpur.
5. The District Land Acquisition Officer Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mrs. Mrs. Pravina Kumari, Advocate
For the Respondents	:	Dr. K.N. Singh, Addl. Sol. General
For the NHAI	:	Mr. S.N.Pathak, SC

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-09-2022 Heard the parties.

Counter affidavit has been filed by NHAI which is taken on record.

The grievance of the petitioners can be entertained by the competent authority under Section 3G(5) of National Highway Act, 1956.

Learned counsel for the petitioners is permitted to withdraw this application so that they may file their claim before the Divisional Commissioner-cum-Arbitrator, Bhagalpur



under Section 3G(5) of National Highway Act, 1956.

The learned counsel for the State and NHAI have no objection to the same.

The writ petition is permitted to withdraw with the liberty the petitioner to move Divisional Commissioner-cum-Arbitrator, Bhagalpur within thirty days from today.

The Arbitrator will decide the matter within four months after hearing the parties and pass a reasoned order in accordance with law. He will consider all the claims of the petitioners including the objection. All the evidences produced by the petitioners shall be considered and dealt by the Arbitrator in his final order. Limitation, if any, shall be condoned by the Arbitrator.

With the aforesaid observation and direction, this writ petition is disposed of.

(Sandeep Kumar, J)

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